

Minutes of the 29 February 2016
Special Meeting of the Yancey County Board of Commissioners
Held at 5:30 o'clock p.m. in the Yancey County Courtroom
Yancey County Courthouse, Burnsville, North Carolina

Present at the 29 February 2016 meeting of the Yancey County Board of Commissioners were Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Byrl Ballew, Commissioner Randy Ollis (Commissioner Ollis left the meeting at 6:45), Commissioner Jeff Whitson, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Attorney Donny Laws, County Planner Jamie McMahan, Finance Director Lynne Hensley, Finance Officer Brandi Burleson, Yancey County School Board members Mike Orr, Bill Whiteside, Jeanne Tyner, Norb McKinney, and Angie Weatherman.

Call to Order and Approval of the Agenda

Chairman Riddle called the meeting to order and asked for a motion to approve the agenda. Commissioner Whitson made the motion to approve the agenda and it was seconded by Commissioner Austin. The vote to approve was unanimous (Attachment A).

Joint Meeting with the Yancey County Board of Education

The Board first heard from Yancey County Superintendent of Schools, Dr. Tony Tipton. Dr. Tipton expressed to the Board and the Board of Education that he had three goals coming into this meeting. The first goal would be to have a unified plan between the Board of Commissioners and the Board of Education. The second goal was to have a next step in this process. The third goal was to leave with a clear message that could be shared. The Board then heard from County Manager Nathan Bennett, County Planner Jamie McMahan, Finance Director Lynne Hensley, and Finance Officer Brandi Burleson concerning the amount of funds that the County can bring to the table for school facility improvements. Based on the analysis of the existing revenue and school resources it was determined that the County would feel comfortable making a yearly debt service payment of around \$900,000 per annum. This amount of payment would leverage about \$10 million with conventional financing options. If the school system could utilize the Qualified Zone Academy Bonds (QZABS) for school renovation then the interest rate would be 0% but a local business would have to partner with the school system. In addition to the financing, the school system would need to contribute. Discussion followed between the two boards concerning the amount of financing and the commitment by the school system and about how to best use the funds that are available. It was decided that the school system should get an architect to conduct a study to evaluate how best to use the resources. Discussion also followed about a joint statement from the two boards, upon conclusion of the discussion Commissioner Whitson made a motion to approve the joint statement and the motion was seconded by Commissioner Ballew. The vote to approve the statement was unanimous (Attachment B).

Committee on Aging

The Board next heard from County Planner Jamie McMahan concerning an issue with right-of-way easement for the new Yancey County Senior Center. According to Mr. McMahan, during the loan closing it was discovered that the Yancey County Committee on Aging does not have all of the needed easement from the parking lot to their property. The County currently owns this area and would just need to grant an easement for presently paved areas. Upon hearing from Mr. McMahan, Commissioner Ballew made a motion to approve the easement and it was seconded by Commissioner Whitson (Attachment C).

Board of Equalization and Review

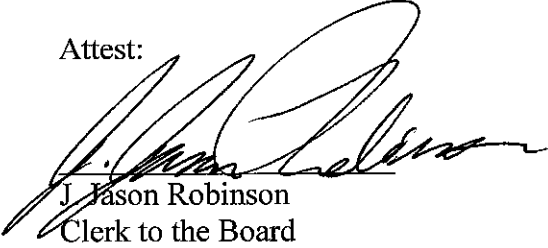
The Board next heard from County Manager Nathan Bennett who explained that after the last regular meeting some of the Board had asked about appointing a special board of equalization and review. Mr. Bennett reviewed the statutory requirements for establishing a special board of equalization and review and updated the Board about the volume of appeals that are expected this year. Discussion followed about whether it was the desire of the Board to establish a special board of equalization and review and about the membership of that board. Upon conclusion of the discussion, Chairman Riddle made a motion to adopt a resolution to establish a special board of equalization and review. The motion was seconded by Commissioner Austin and the vote to adopt was unanimous (Attachment D).

Adjournment

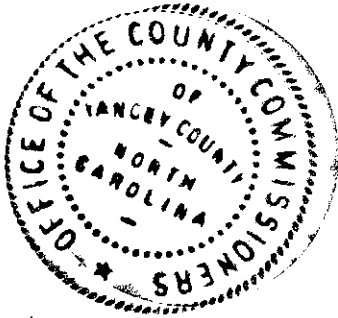
Having no further business Commissioner Ballew made a motion to adjourn and it was seconded by Commissioner Austin. The vote to adjourn was unanimous.

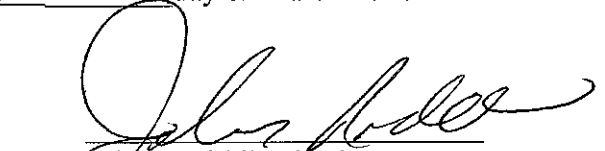
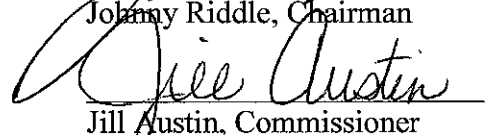

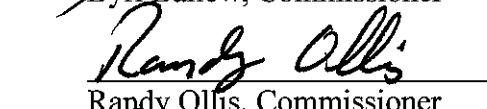
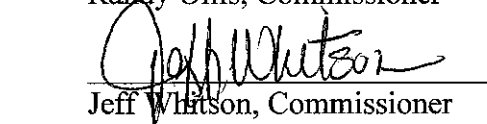
Approved and authenticated on this the 14th day of March 2016.

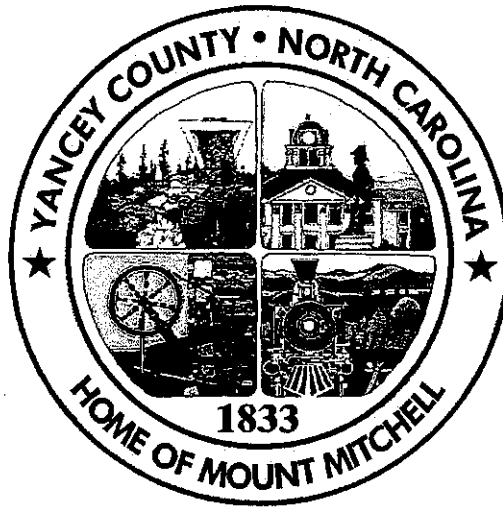
Attest:


J. Jason Robinson
Clerk to the Board

(county seal)

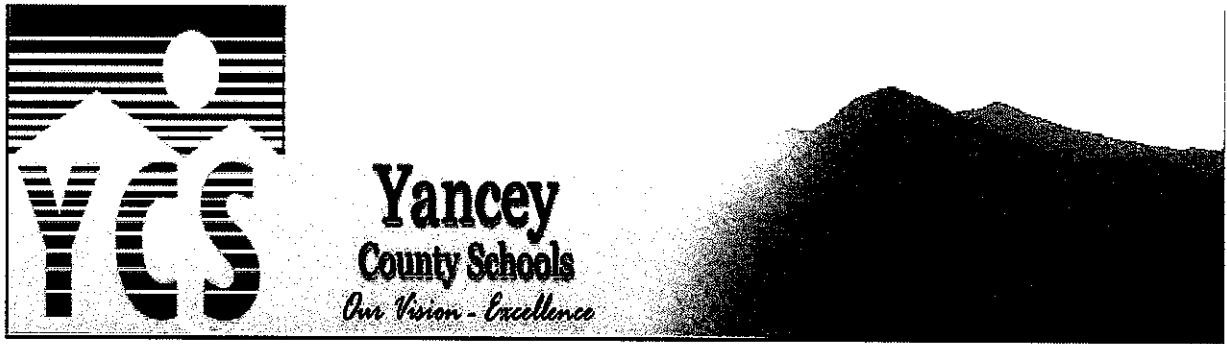



Johnny Riddle, Chairman

Jill Austin, Commissioner

Byrl Ballew, Commissioner

Randy Ollis, Commissioner

Jeff Whitson, Commissioner



**AGENDA
YANCEY COUNTY COMMISSIONERS
SPECIAL MEETING
February 29, 2016
5:30 p.m.**

- I. Call to Order - Chairman Riddle
- II. Approval of Agenda
- III. Joint Meeting with Yancey County Board of Education
 - a. Facility Planning
 - b. Other items of mutual concern
- IV. Discussion and appointment of Board of Equalization and Review
- V. Easement Agreement with the Yancey County Committee on Aging
- VI. Adjourn



February 29, 2016

For Immediate Release

Over the past two years, a joint task force from the Yancey County Board of Education and the Yancey County Commissioners has met often to discuss building/renovation options and funding possibilities.

Both boards have looked at their financial situations, and at the recommendation of the task force, have determined that they have the financial ability to make an \$11.5 million investment in capital improvements for school facilities.

At a special joint meeting on February 29, 2016, facility needs were discussed regarding the aging elementary schools. Both boards unanimously voted that it was time to take action.

Yancey County Schools will contract for a needs assessment study to determine the highest level of capital improvements needed in the elementary schools within available funding and return this study to a joint meeting of the commissioners and school board as soon as possible.

Released
02-29-16 – 7:30 p.m.

Attachment C

2016-00422 B: 741 P: 567 ES
03/01/2016 11:41:55 AM Total Pages: 2 Fees: 26.00
Susan Jobe, Register of Deeds, Yancey County, NC

Prepared by Donny J. Laws, Attorney at Law, PO Box 397, Burnsville, NC 28714

STATE OF NORTH CAROLINA

COUNTY OF YANCEY

EASEMENT

29 February 2016

THIS EASEMENT is entered into on this the day and year first above written, by and between, **YANCEY COUNTY**, a Body Politic and Corporate of the State of North Carolina, hereinafter referred to as "Grantor" and **YANCEY COUNTY COMMITTEE ON AGING, INC.**, a North Carolina Non-Profit Corporation, hereinafter "Grantee"; thus

WITNESSETH

THAT WHEREAS Grantee is the owner of a tract or parcel of land lying and being situated in Burnsville Township, Yancey County, North Carolina, containing 0.562 acre, more or less, as the same is more particularly described by metes and bounds in that Deed dated 16 June 2008 and recorded of record at Yancey County Deed Book 598, Page 35, to which reference is hereby made for a more particular description of such property as if set forth fully herein; and

WHEREAS the Grantor is the owner of certain adjoining lands more particularly described in a Deed recorded at Yancey County Deed Book 639, Page 559, upon a portion of which such lands is located paved parking areas and paved driveways, all of which are located between Wheeler Hills public roadway, and the above-described property (hereinafter "easement area"); and

WHEREAS it is the intention of the Grantor herein to convey unto the Grantee a perpetual and non-exclusive easement and right to use the easement area as an appurtenant easement to the Grantee's above described property, for purposes of providing ingress, egress,

and regress over said easement area, to said property, and also to provide parking to the Grantee for the use of the paved parking area within the easement area.

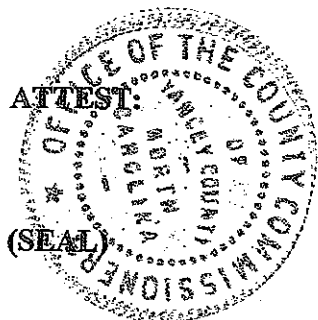
NOW THEREFORE, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration given and received, the receipt of which is hereby acknowledged, the Grantor does hereby give, grant, and convey unto the Grantee herein, its successors and assigns, a perpetual and non-exclusive easement and road right of way to use the easement area as a means of access over and upon the lands of the Grantor, to and from Wheeler Hills Road, a Public Roadway, and the lands of the Grantee, together with rights of ingress, egress, and regress for the purposes of inspecting, maintaining, repairing and improving said paved access roadway, and FURTHER to use the paved parking areas situated upon lands owned by the Grantor lying adjacent to the property of the Grantee herein, together with the rights of others therein.

IN WITNESS WHEREOF the Grantor has hereunto set its hand and has affixed its seal on this the day and year first above written.

YANCEY COUNTY, by

Name: [Signature]

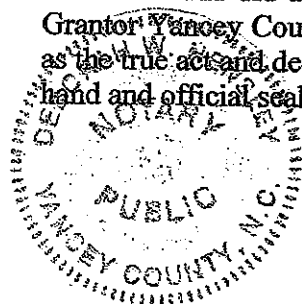
Title: CHAIRMAN



[Signature]
Name: J. Jara Robinson
Title: Clerk to Board

STATE OF NORTH CAROLINA
COUNTY OF YANCEY

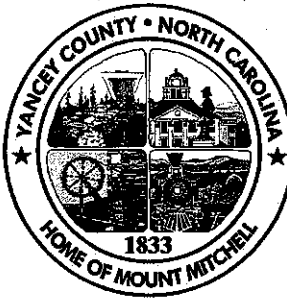
I, Deborah W. Hersley, a Notary Public of the State and County aforesaid do hereby certify that Johnny Riddle, did personally appear before me and did acknowledge his due execution of the foregoing Easement on behalf of the Grantor Yancey County by authority duly given as its CHAIRMAN as the true act and deed of said Grantor, for all of the purposes therein expressed. WITNESS my hand and official seal on this the 29th day of February 2016.



Deborah W. Hersley
Notary Public
My Commission Expires: 8-9-2020

Board of Commissioners

Johnny Riddle, Chair
Jill Austin, Vice-chair
Byrl Ballew
Randy Ollis
Jeff Whitson



Nathan R. Bennett
County Manager

Donny J. Laws
County Attorney

J. Jason Robinson
Clerk to the Board

RESOLUTION

Appointing a Special Board of Equalization and Review

WHEREAS, the State of North Carolina pursuant to North Carolina General Statute Section 105-322, has authorized the county commissioners of the respective counties within the State to appoint a special board of equalization and review to carry out the duties imposed under Article 21 of the Machinery Act of North Carolina; and

WHEREAS, the Yancey County Board of Commissioners, pursuant to North Carolina General Statute, desire to establish a special board of equalization and review to perform those duties specified in G.S. 105-322; and

WHEREAS, the Board of Commissioners have determined that the qualifications for membership for the Board of Equalization and Review shall be that such individuals shall be owners of property located within Yancey County, shall be eighteen (18) years of age or more, shall be citizens and residents of Yancey County, and that all shall take the Oath of Office as prescribed by North Carolina General Statute §105-322 and shall otherwise qualify as required by Article 21 of Chapter 105 of the North Carolina General Statutes.

NOW THEREFORE BE IT RESOLVED by the Yancey County Board of County Commissioners as follows:

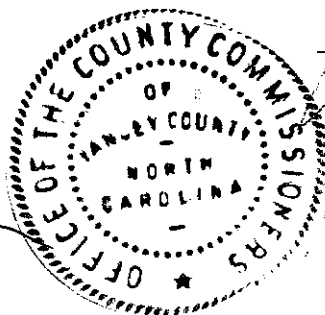
1. That membership of said special Board of Equalization and Review shall be determined by the solicitation of applications from qualified applicants for said Board of Equalization and Review. The Yancey County Board of Commissioners shall appoint a pool of applicants from which the Tax Administrator's Office may select the number needed to sufficiently staff the Board of Equalization and Review. That this pool of applicants shall include the sitting Board of County Commissioners for Yancey County. The term of office for the selected members shall be for one year and compensated at a rate of fifty dollars (\$50) per working session until this Resolution is rescinded or revised by the Yancey County Board of Commissioners; and
2. That any taxpayer who appeals to the Board of Equalization and Review shall have the right to appeal the decision of the Board of Equalization and Review to the Property Tax Commission of the Department of Revenue for the State of North Carolina.

ADOPTED this the 29th Day of February, 2016.

(County Seal)

ATTEST:

J. Jason Robinson, Clerk to the Board



Johnny Riddle, Chairman